

**United States District Court  
District of New Jersey  
Newark Division**

U.S. Securities and Exchange Commission,  
*Plaintiff*

vs.

Vuuzle Media Corp., Vuuzle  
Media Corp. Limited,  
Ronald Shane Flynn, and  
Richard Marchitto

Civil Action No. 2:21-cv-1226 (KSH)  
(CLW)

*Defendants,*

-and-

Vumu Music LLC,  
*Relief Defendant.*

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June 13, 2023

Richard Marchitto [REDACTED]  
[REDACTED]

RE: District Court Newark, NJ

File NO. 2:21-cv-01226-KSH-CLW

Plaintiff U.S. SEC and its attorneys of record. motion for summary judgements

To Hon. Judge Katharine S. Hayden and District Court,

I am writing to this court to correct misrepresentation, concerning the SEC's submission of its Supplemental Brief addressing the issue of the courts personal jurisdiction over defendants: Ronald S. Flynn, Vuuzle Media Corp, Vuuzle Media Corp Limited, Vuuzle U.A.E. and relief Defendants, Vuuzle Music.

#### Argument

- 1) Marchitto did not receive notification of the SEC's supplemental brief on the 9th of June by U.P.S. or his active email. It arrived by U.P.S., Monday June 12, 2023.
- 2) Vuuzle Media Corp. U.S. has been closed along with Vuuzle Media Corp. Limited, Vuuzle UAE, and Vuuzle music for over a year.
- 3) The legal information institute states "Typically for a court to have personal jurisdiction over a defendant the plaintiff needs to serve the defendant in the state in which the court sits, and the defendant needs to voluntarily appear in court." The SEC has not established that or submitted any proof of accomplishing it. International Shoe Co. v. Washington, 326 U.S. 310 (1945) Burger King Corp. v. Rudzewicz 471 U.S. 462 (1985)
- 4) Vuuzle Media Corp. Limited never dealt with communications to SEC investors. Its function was to establish and operate the well known Vuuzle T.V. Application. Vuuzle UAE was not incorporated in the USA and not formatted under any USA rules. This has no significance in this matter.
- 5) Flynn never controlled Vuuzle Media Corp. U.S. and was not on the incorporation documents.

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- 6) Vuuzle Media Corp U.S. established a physical office space at 42 Broadway, Suite 117 N.Y.C. that was only registered by Richard Marchitto.
- 7) Besides the physical office space in N.Y.C. Vuuzle Media Corp. Limited established in Las Vegas U.S.A. under the control of Prophecy Onasis in a physical office.
- 8) The function was to develop and maintain the Vuzzle T.V. application. The application was a streaming app. that was free of charge and was available to anyone worldwide. This application cost hundreds of thousands of dollars to operate and maintain. Today this studio is built in Dubai and is making movies, T.V. shows and commercials for companies. It has established a consortium with the famous brand name "Red Bull" company.
- 9) Bank accounts established by Vuuzle Media Corp. U.S. Its purpose is to pay expenses for the development of the Vuuzle T.V. application, to construct the studio in Dubai. Also to pay companies for services, materials and equipment to continue operations of the company's growth and development. The SEC's allegations of fraud investors is simply false.

#### Summary

1. This document submitted by relief defendant Marchitto points out and shows the true comprehensive analysis of the defendant's innocence and to illustrate with facts and case history why this court has no personal jurisdiction over all the defendants involved.
2. The SEC states there are victims. However, does not substantiate with initials or the number of victims except one in NJ and without testimony of witnesses.
3. The documentation of the money the SEC states was fraudulently obtained is not factual. This does not coincide with what they say is fraudulently taken. The money the company brought in was to pay for operating expenses.
4. Relief defendant Marchitto never has any dealings to secure investors. The SEC fails to prove any convincing evidence to the court providing text, email, conversations or testimony of witnesses or convincing evidence that Marchitto had any knowledge of a criminal act being perpetrated.
5. There are many streaming companies being formed in the U.S.A. however, Vuuzle Media Corp. U.S. was chosen by Verizon to be presented with the "Brand Blazer Award ", for its streaming

innovations. Many would suggest that Verizon is a reputable and well known brand and only offers awards to other reputable companies.

6. It is concerning to me and I hope it is evident to the court that the SEC has an alternative reason to convict Vuuzle Media Corp. and its defendants. Perhaps it is to stop an innocent company from future development or a competitive company or individuals that have a motive to see Vuuzle Media Corp. fail.

#### Conclusion

For the foregoing reasons the plaintiff did not establish personal jurisdiction over all the default defendants or for the defendants to voluntarily appear in court. Whereas, the allegations in the amended complaint are insufficient to satisfy the court personal jurisdiction. All the defaulting defendants and the default judgment should not be granted to the plaintiff and the defendants dismissed.

Sincerely,



June 13, 2023

Richard Marchitto

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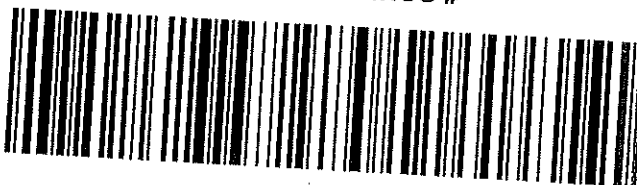
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